



12/18/03

CONFERENCE REPORTS

SB 556 (Johnson)

K-12 SCHOOL AID NEGATIVE SUPPLEMENTAL

- The Senate adopted the conference report to SB 556 [RC 691: 37 yes, 0 no].

HB 4367 (Shulman)

NEGATIVE SUPPLEMENTAL

- The Senate adopted the conference report to 4367 [RC 707: 37 yes, 0 no]. Immediate Effect was given to the bill.

MESSAGES FROM THE HOUSE

SB 226 (Hammerstrom)

SB 227 (Hammerstrom)

SB 228 (Sanborn)

SB 229 (Birkholz)

These bills are part of a package that would prohibit the possession or release of non-native or nuisance aquatic species, as well as regulate or prohibit the possession of genetically engineered or transgenic aquatic species.

Support: DNR, Michigan Environmental Council.

Senate Bill 226 would ban the possession and release of live (non-native) fish. This would discourage further introduction of aquatic nuisances into the Great Lakes. Bighead carp, bitterling, black carp, grass carp, ide, Japanese weatherfish, rudd, silver carp, fishes of the snakehead family, and tench or their hybrids would be placed on the list of "prohibited species."

- The Senate concurred with the House changes to SB 226 [RC 676: 35 yes, 0 no].

Senate Bill 227 would penalize anyone who released nuisance aquatic species that would be harmful to Michigan's natural resources. The bill would create a category in statute for violating the prohibition on the possession or release of genetically engineered or nonnative fish. The bill would also create a category in statute

for a violation of the prohibition regarding possession, importation or planting of genetically engineered fish. The violation would be a felony with imprisonment of up to five years.

- The Senate concurred with the House changes to SB 227 [RC 677: 35 yes, 0 no].

Senate Bill 228 prohibits a person from importing a genetically engineered organism that was a variant of an animal species, from an area under quarantine without the permission of the Director of the Michigan Department of Agriculture.

- The Senate concurred with the House changes to SB 228 [RC 678: 36 yes, 0 no].

Senate Bill 229 defines a genetically engineered organism which is a variant of an aquiculture species as a distinct aquaculture species.

- The Senate concurred with the House changes to SB 229 [RC 679: 36 yes, 0 no].

SB 474 (Garcia)

PAYDAY LENDING

Senate Bill 474 would require licensure, license fees, maximum service fees and lending agreement limits on businesses engaged in payday lending. The House lowered the interest rate from 14% to 13.25% of the value of the loan.

- The Senate concurred with the House changes to SB 474 [RC 680: 25 yes, 12 no].

SB 485 (Garcia)

Senate Bill 485 revise the interest rate on child support arrearages. The surcharge is to be calculated at a rate equal to the adjusted prime rate which is determined by the Department of Treasury.

- The Senate concurred with the House changes to SB 485 [RC 697: 35 yes, 0 no].

SB 508 (Sanborn)

SB 511 (Gilbert)

Senate Bill 508 (Sentencing Guidelines) and Senate Bill 511 establish a misdemeanor offense, punishable by up to 90 days in jail and/or up to a \$10,000 fine for a person failing or refusing to properly supervise the final disposition of a dead human body within 60 but not more than 180 days after agreeing to provide the services of a funeral director. The bill establishes a felony offense, punishable by up to 10 years imprisonment, and/or a fine of up to \$50,000, if a person fails to properly dispose of the dead human body more than 180 days after undertaking the task.

Support: Michigan Cemetery Association, Michigan Funeral Directors Association.

- The Senate concurred with the House changes to SB 508 [RC 672: 34 yes, 0 no].
- The Senate concurred with the House changes to SB 511 [RC 673: 34 yes, 0 no].

SB 535 (Birkholz)

SB 536 (Allen)

Senate Bills 535-36 are nearly identical to House Bill 4914. All three bills have or will be substituted so that they will become a three-bill package which, in the end, accomplishes the same goal. The package of bills would direct the Secretary of State to create a “Great Lakes protection specialty watercraft decal.” The decal would cost \$35 and would be valid for three years. Ten dollars of the fee would be retained by the Secretary of State for administration, and \$25 would be distributed to the Michigan Great Lakes Protection Fund for research on aquatic nuisance species, to educate the public about the threat of aquatic nuisance species and for the eradication of aquatic nuisance species in the Great Lakes and in other waters in the state.

- The Senate concurred with the House changes to SB 535 [RC 674: 35 yes, 0 no].
- The Senate concurred with the House changes to SB 536 [RC 675: 35 yes, 0 no].

SB 648 (Patterson)

SB 649 (Birkholz)

SB 650 (Cropsey)

SB 651 (Sanborn)

SB 652 (Jelinek)

SB 698 (Bishop)

SB 777 (George)

METHAMPHETAMINE PACKAGE

Support: Allegan County Sheriff, Eaton County Sheriff, Eaton County Prosecutor, Prosecuting Attorneys Association of Michigan, Michigan State Police, Johnson and Johnson Company, Farm Bureau, Michigan Propane Gas Association.

Oppose: Families Against Mandatory Minimums (FAMM).

Senate Bill 648 would require environmental inspection (and closure if necessary) of meth lab premises, and to require the departments of community health and environmental quality to promulgate rules to implement the bill.

- The Senate concurred with the House changes to SB 648 [RC 699: 37 yes, 0 no]. Immediate Effect was given to the bill.

Senate Bill 649 would increase the maximum term of imprisonment and decrease the maximum allowable fine for offenses involving manufacture of methamphetamine. The violation would be punishable by up to 20 years' imprisonment and/or a fine of up to \$25,000, rather than the current 10 years/\$100,000.

- The Senate concurred with the House changes to SB 649 [RC 700: 35 yes, 2 no]. Immediate Effect was given to the bill.

Senate Bill 650 would establish felony penalties for possession of more than 12 grams of pseudoephedrine. At present, illicit possession of more than 10 grams of ephedrine is a two-year felony.

- The Senate concurred with the House changes to SB 650 [RC 701: 37 yes, 0 no]. Immediate Effect was given to the bill.

Senate Bill 651 would establish sentencing guidelines consistent with SB 650.

- The Senate concurred with the House changes to SB 651 [RC 702: 37 yes, 0 no]. Immediate Effect was given to the bill.

Senate Bill 652 would make it a felony to possess or transport anhydrous ammonia in a non-approved container or to tamper with an approved container. The offense would be punishable by imprisonment for up to four years, a fine of up to \$5,000, or both.

- The Senate concurred with the House changes to SB 652 [RC 703: 37 yes, 0 no]. Immediate Effect was given to the bill.

Senate Bill 698 would establish sentencing guidelines consistent with SB 649. Under the bill, recommended minimum sentence ranges for maintaining or operating a meth lab would vary from 0 – 8 months (for which a local sanction is mandated) to 117 – 160 months (for which a prison term is required), depending on the circumstances of the offense and the offender's prior record.

- The Senate concurred with the House changes to SB 698 [RC 704: 33 yes, 4 no]. Immediate Effect was given to the bill.

Senate Bill 777 would establish sentencing guidelines consistent with SB 652. Under the bill, recommended minimum sentence ranges for the applicable anhydrous ammonia offenses would vary from 0 – 3 months (for which a local sanction is mandated) to 17 – 30 months (for which a prison term is required), depending on the circumstances of the offense and the offender's prior record.

- The Senate concurred with the House changes to SB 777 [RC 705: 37 yes, 0 no]. Immediate Effect was given to the bill.

SB 667 (Allen)

The bill would amend the Mental Health Code to provide that, if a CMH board represented five or more counties with disproportionate populations, the number of board members could be expanded to more than 12 to ensure that each county was entitled to at least two board memberships.

- The Senate concurred with the House changes to SB 667 [RC 690: 35 yes, 0 no]. Immediate Effect was given to the bill.

SB 672 (Cassis)

SB 673 (George)

Senate Bills 672-73 would remove from a business' SBT tax base, over a four-year period, 50% of the payments for health benefit plans (5% in 2004, 20% in 2005, 40% in 2006, 50% in 2007). This would reduce tax revenue an estimated \$2.2 million (2003-04), \$9.9 million (2004-05), \$22.2 million (2005-06), \$31.2 million in 2006-07) .

- The Senate concurred with the House changes to SB 672 [RC 693: 37 yes, 0 no].
- The Senate concurred with the House changes to SB 673 [RC 696: 36 yes, 0 no].

SB 787 (Hardiman)

Senate Bill 787 prohibits the Department of Education from issuing a report card grade or assigning an accreditation score to schools if the schools are missing Michigan Educational Assessment Program (MEAP) test data.

- The Senate concurred with the House changes to SB 787 [RC 694: 37 yes, 0 no].

SB 849 (Birkholz)

Senate Bill 849 would amend the Brownfield Redevelopment Financing Act to revise the Act's definition of "initial taxable value."

- The Senate concurred with the House changes to SB 849 [RC 695: 37 yes, 0 no].

HB 4655 (Newell)

House Bill 4655 add intoxication as grounds for disciplinary action by the Department of Consumer and Industry Services and/or the Licensed Professional Board for all licensed health professionals in Michigan.

- The Senate concurred with the House changes to SB 849 [RC 706: 31 yes, 6 no (GOP)].

HB 5255 (CONDINO)

House Bill 5255 would amend the Michigan Economic Growth Authority (MEGA) Act to expand eligibility for single business tax (SBT) credits that MEGA may offer to eligible businesses (businesses that maintain retained jobs or create qualified new jobs in manufacturing, mining, research and development, wholesale and trade, or office operations, or qualified high-technology businesses); and to make some changes regarding the organization of the Authority.

- The Senate concurred with the House changes to HB 5255 [RC 698: 37 yes, 0 no].

FINAL PASSAGE

SB 826-27 (Goschka)

Senate Bill 826 will repeal an outdated (1903) law dealing with the Saginaw board of auditors and their duties, and allow Saginaw County to operate the same way as the other 82 counties. The county will be able to conform to uniform standards and operate more efficiently.

- SB 826 passed [RC 684: 38 yes, 0 no].

Senate Bill 827 will repeal an outdated (1905) law dealing with the Saginaw board of supervisors and their manner of voting, and allow Saginaw County to operate the same way as the other 82 counties. The county will be able to conform to uniform standards and operate more efficiently.

- SB 827 passed [RC 685: 38 yes, 0 no].

HB 4299 (Shackleton)

House Bill 4299 would increase the allowable estate amount to \$40,000, with a provision allowing a county board of commissioners to pass a resolution exempting the county from the required increase. Current law

requires counties to provide a \$300 burial allowance for veterans or their wives if the veteran and his wife have an estate not exceeding \$25,000.

- HB 4299 passed with IE [RC 686: 38 yes, 0 no].

HB 4439 (Bradstreet)

House Bill 4439 would modify the current Wireless E911 fee and remove the sunset on the fee. The fee will still sunset, along with the entire act, on December 31, 2006. This fee is used to provide funds to become compliant, as well as to operate 911 call centers. The fee is currently \$.52 on each cell phone with a billing address in Michigan. \$.265 of the fee goes to local Public Safety Answering Points: \$.10 is split equally between all counties; \$.15 is given to counties on a per capita basis; and \$.015 is used to fund PSAP training.

Support: SBC, Verizon, Michigan Association of Counties, Cingular.

- HB 4439 passed with IE [RC 683: 36 yes, 2 no].

HB 4655-56 (Newell)

Support: MI Dental Assn., MI Osteopathic Assn., CIS, MI Health and Hospital Assn.

Oppose: MI Psychiatric Assn.

House Bill 4655 adds intoxication as grounds for disciplinary action by CIS and/or the Licensed Professional Board for all licensed health professionals in Michigan. The bill encompasses the improper use of both legal and illegal substances. The bill also extends the sunset on accepting health professional licensure from Canada until 2007.

- Committee 1 (S-1) was adopted [no RC].
- Patterson 1a was adopted [no RC].
- Emerson 1c was adopted [no RC].
- HB 4655 was moved to 3rd Reading.
- HB 4655 was passed with IE [RC 681: 32 yes, 6 no].
- HB 4655 was reconsidered.
- Emerson 1 was adopted [no RC].
- HB 4655 was passed with IE [RC 692: 31 yes, 6 no].

House Bill 4656 would place criminal penalties on healthcare professionals who are found to be intoxicated while practicing. Violators would be guilty of a misdemeanor punishable by imprisonment for up to one year or a fine up to \$100,000. The convicted healthcare professional will be required to participate in the Health Professional Recovery Program.

- Committee 1 (S-1) was adopted [no RC].
- HB 4656 was moved to 3rd Reading.
- HB 4656 was passed with IE [RC 682: 38 yes, 0 no].

HB 5022 (Nitz)

House Bill 5022 would change current law (which provides for police and fire protection in townships and villages, and in cities with a population under 15,000), to allow township police and fire administrative board

members to receive per diem compensation as determined by the township board, as well as actual and necessary expenses.

Support: MI Township Association, Supervisor of Lincoln Charter Twp.

- HB 5022 passed with IE [RC 687: 38 yes, 0 no].

HB 5218 (Daniels)

House Bill 5218 would provide that a city may allow an administrative hearings bureau (created in HB 5216) to adjudicate alleged violations of ordinances.

- Reconsider the vote by which the Cropsey amendment was approved.
- Cropsey 1 was adopted.
- HB 5218 passed with IE [RC 689: 38 yes, 0 no].

HB 5172 (Stakoe)

House Bill 5172 would clarify a subsection in the law to allow cemeteries that were in receivership prior to the enactment of this law. There is a cemetery in Oakland County that has been in receivership for years and this bill would allow for the cemetery to utilize this law.

- HB 5172 passed with IE [RC 688: 38 yes, 0 no].

RESOLUTIONS

HCR 45 (Richardville)

LEGISLATIVE CALENDAR

- HCR 45 was adopted [no RC].